IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE A.GOPAL REDDY

WRIT PETITION NO : 24531 of 1999

Between:

1.Sri Sitaramachandra Swamy Labour Contract Co-op.

Society rep. by its President Sri. Menchu Rajaiah,
S/o.Parvathalu, aged about 60 years, Miryala,

Nuthankal Mandal, Nalgonda District, R/o. Miryala.
2 Indira Gandhi Waddera Labour Co-Operative Society

Ltd. rep. by its President Sri R. Narsimha,

S/o.Pullaiah, Nammani, aged about 40 years,

Nammani, Narkatpalli Mandal, Nalgonda Dist.
3 Roads and Buildings Construction Wadders L.C.

Co-operative Society Ltd. rep. by its President V. Ramulu,

S/o.Gopaiah, aged about 50 years, Panagal,
Nalgonda District. R/o Panagal.
4. Gopalakrishna Wadders Labour Contract Co-Operative

Society Ltd., rep. by its President Sri V. Gopaiah,
S/o.Ramulu, Navibhavi, Nalgonda District. R/o. Navibhavi.
5. Dr. Ambedkar Labour Contract Co-Operative Society,

rep. by its President R. Iddaiah. S/o.Venkaiah, aged

about 52 years, Kurmarthi, Kothangur Mandal,
Nalgonda District, R/o Kurmarthi.
6 Andhra Kesari Waddera Labour Contract Co-operative

Society rep. by its President B. Bhiksham, S/o.Venkaiah,

Aged about 50 years, Bollepally, Nalgonda Mandal,
Nalgonda District, R/o. Bollepally.

.....PETITIONER

AND

1. Govt. of A.P. rep. by Principal Secretary, Roads & Buildings Department, Secretariat, Hyderabad.

2. The Superintending Engineer, Roads & Buildings, Nalgonda District, Nalgonda.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or directions

essentially in the nature of Writ of Mandamus directing the Respondents herein to accept the Tender Schedules of the petitioner Societies herein and permit them to participate in the tender bids without insisting upon the conditions of having experience of the same work to the tune of 50% of the tender value and requiring the petitioner societies herein to submit Solvency Certificate and Letter of Credit etc., to the tune of 50% of the Tender Value along with the Tender Applications holding the action of the Respondents herein in disabling the petitioner Societies herein from participating in the Tender bids by prescribing the above said conditions through the impugned Notification contained in No.TS-99-2000/5/715 dated 8.11.1999 as bad, illegal, arbitrary, discriminatory, irrational, illogical and violative of Articles 14, 19(1)(g) and 21 of Constitution of India.

For the Petitioners: MR.J.SUDHEER,Advocate.

For the Respondents: GP FOR ROADS & BUILDINGS

The Court made the following :

ORDER

Pursuant to the judgment of this court dt. 10-3-98 in WP No.12975/96 and batch, reported in SRI JANAKIRAMA VADDARA LABOUR CONTRACT CO-OPERATIVE SOCIETY V. EXECUTIVE ENGINEER (1998(3) ALT 808 DB), the Government issued G.O.Ms.No.52 Transport, Roads & Buildings (B.I-1) dt. 18-3-2000 granting certain concessions to the Labour Contract Co-operative Societies of Scheduled Castes and Scheduled Tribes with regard to deposit of EMD amount at the time of filing tenders. In view of the same, no cause survives for adjudication.

The writ petition is accordingly dismissed. No costs.

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07-07-2004

cs/kmr

To

1. The Principal Secretary, Government of Andhra Pradesh, Roads

and Buildings Department, Secretariat, Hyderabad.

2. The Superinending Engineer, Roads and Buildings, Nalgonda District,

Nalgonda.

3.CCs to the Government Pleader for Roads and Buildings, High Court

Buildings, Hyderabad (O.U.T.).

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